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FILED ELECTRONICALLY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
THOMAS MCCORMACK,**

**Plaintiff,**

**-against-**

**MTA METRO-NORTH RAILROAD, HARRY  
KELLY AND ROBERT SARACENI,**

**Defendants.**

2008 CV 4057 (SHS)

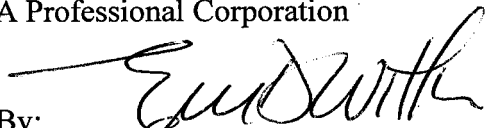
**RULE 7.1 STATEMENT**

Defendant MTA Metro-North Railroad ("MNRR"), is a public benefit corporation and a wholly-owned subsidiary of the Metropolitan Transportation Authority. *See* New York Public Authorities Law §§ 1260, et seq. (McKinney 1999). Accordingly, Federal Rule of Civil Procedure 7.1 does not apply to Defendant MNRR.

Dated: August 1, 2008  
New York, New York

Respectfully submitted,

**LITTLER MENDELSON**  
A Professional Corporation

By: 

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2008, I served the foregoing Rule 7.1 Statement on the following by filing it electronically with Clerk of the above-captioned Court using its CM/ECF systems and by also sending a copy via Federal Express next business day delivery, by placing said copy into a sealed envelope with postage affixed thereon into an official depository under the exclusive care and custody of the United States Postal Service, upon:

Michael G. O'Neill  
30 Vesey Street, Third Floor  
New York, New York 10007

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 1st day of August 2008, in New York, New York.

By: /s/ Anna Maria Loiacono

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